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ATTORNEYS FOR
ANSON FINANCIAL INC.
DEBTOR AND DEBTOR IN POSSESSION

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION**

IN RE:	§	
	§	
ANSON FINANCIAL, INC.,	§	CASE NO. 21-41517
	§	
DEBTOR.	§	

**FIRST AMENDED OBJECTION TO PROOFS OF CLAIM NUMBER NOS.
8, 9, AND 10 FILED BY SIMONA BARRON ON AUGUST 13, 2021**

NO HEARING WILL BE CONDUCTED HEREON UNLESS A WRITTEN RESPONSE IS FILED WITH THE CLERK OF THE UNITED STATES BANKRUPTCY COURT AT THE ELDON B. MAHON U.S. COURTHOUSE, 501 W. 10TH ST., FORT WORTH, TX 76102-3643. BEFORE CLOSE OF BUSINESS ON MAY 6 2022, WHICH IS AT LEAST 30 DAYS FROM THE DATE OF SERVICE HEREOF.

ANY RESPONSE SHALL BE IN WRITING AND FILED WITH THE CLERK, AND A COPY SHALL BE SERVED UPON COUNSEL FOR THE MOVING PARTY PRIOR TO THE DATE AND TIME SET FORTH HEREIN. IF A RESPONSE IS FILED A HEARING MAY BE HELD WITH NOTICE ONLY TO THE OBJECTING PARTY.

IF NO HEARING ON SUCH NOTICE OR MOTION IS TIMELY REQUESTED, THE RELIEF REQUESTED SHALL BE DEEMED TO BE UNOPPOSED, AND THE COURT MAY ENTER AN ORDER GRANTING THE RELIEF SOUGHT OR THE NOTICED ACTION MAY BE TAKEN.

TO THE HONORABLE EDWARD L. MORRIS, U.S. BANKRUPTCY JUDGE:

Anson Financial, Inc. debtor and debtor in possession, (“Anson” or the “Debtor”), files this

First Amended Objection to the Proofs of Claim Nos. 8, 9, and 10 filed on August 13, 2021 by

Simona Barron (“Barron” or “Respondent”) and would respectfully show to the Court the following.

EXPLANATION OF AMENDMENT FOLLOWING “NOTICE OF DEATH”

1. This objection is amended and further service and notice are provided in light of the Notice of Death (Docket No. 258) filed herein by Joyce Lindauer, and additional service of this Objection is provided to the name(s) and/or addresses(s) provided in such Notice of Death, as well as to the claimant's former and/or apparent attorney, Ms. Lindauer.¹ Although the Debtor believes that notice was sufficient under the circumstances, in an abundance of caution the Debtor is providing additional notice of this claim objection to the parties listed in the Notice of Death.

BACKGROUND

2. On June 25, 2021, the Debtor filed a voluntary petition for relief under Chapter 11 of Title 11 of the Bankruptcy Code, 11 U.S.C. §§ 101 et seq (the “Code”). The Debtor continues to remain as the debtor-in-possession.

3. On August 13, 2021, Barron filed three proofs of claim against the Debtor. These claims consisted of the following:

- a. Proof of claim 8 in the amount of \$38,000;
- b. Proof of claim 9 in the amount of \$418,000; and
- c. Proof of claim 10 in the amount of \$42,000.

4. None of these proofs of claim provides any supporting documentation.

LEGAL AUTHORITY

5. Pursuant to Bankruptcy Rule 3001(b), proof of claims shall be executed by the creditor or the creditor’s authorized agent except filing of claims by the Debtor or Trustee. *See*

¹ According to PACER, Ms. Lindauer has represented the claimant in Case No. 16-44816, as well as representing Joseph Yammine, the brother of the claimant and decedent, in this case as well as the Yammine adversary proceeding.

Fed. R. Bankr. P. 3001. properly filed proof of claim carries with it the presumption of validity. 11 U.S.C. § 502; Fed. R. Bankr. P. 3001(f). However, the presumption of a prima facie valid claim is not automatic for facially defective claims — the claim must be sufficiently detailed and substantial to allow it to be considered a prima facie evidence of its validity. *In re Armstrong*, 320 B.R. 97, 103-04 (Bankr.N.D.Tex. 2005).

6. If a party objects to the proof of claim, the objection becomes a contested matter under Fed. R. Bankr. P. 9014. The objecting party need only rebut the initial presumption of validity to disallow the claim. *Armstrong*, 320 B.R. at 103-04. The ultimate burden to prove the validity of the claim then re-vests upon the creditor. *Id.*

7. Pursuant to Bankruptcy Rule 3001(c), the creditor is required to attach supporting information to their claim. Fed. R. Bankr. P. 3001(c).

OBJECTION TO CLAIM

8. Each of Barron's claims should be disallowed pursuant to Code § 502(b) on at least the following grounds.

- a. Claim 8 filed by Barron states "overpayment" as the basis for the claim and provides no other details. The claim doesn't state what the "overpayment" is, what "real estate" property the overpayment is for or attach any documentation showing ownership to such claim such as the deed, loan documents, pay history, or anything else in support of the claim.
- b. Claim 9 filed by Barron states "No Release of Lien" as the basis for the claim and provides no details about what real estate property the claim is regarding, or attach any documentation showing any documentation, loan documents, pay history, or anything else in support of the claim.
- c. Claim 10 filed by Barron states "Claim for Money owed" as the basis for the claim and again provides no details regarding what real estate property money is owed on or attaches any documentation showing ownership such as Deed of Trust, pay histories, loan documents, or judgments.

9. The proof of claims Barron filed each are clearly erroneous and should be disallowed.

10. Further, the Debtor has no business relationship with Barron and cannot determine what claim Barron is trying to assert against it or to what matters Barron refers.

11. Debtor reserves the right to amend, supplement, and/or re-file this Objection in the event that the Respondent amends and/or supplements any proof of claim.

12. A proposed form of order sustaining this claim objection accompanies this objection and is incorporated by reference herein.

WHEREFORE, Debtor respectfully requests that the Court disallow each of Proof of Claim Nos. 8, 9, and 10, in the entirety of each. Debtor requests such other and further relief to which Debtor is entitled at law or in equity.

Dated: April 6, 2022

Respectfully submitted:

WEYCER, KAPLAN, PULASKI & ZUBER, P.C.

By: /s/ Jeff Carruth
JEFF CARRUTH (TX SBN:. 24001846)
3030 Matlock Rd., Suite 201
Arlington, Texas 76105
Telephone: (713) 341158
Fax: (866) 666-5322
E-mail: jcarruth@wkpz.com

ATTORNEY FOR
ANSON FINANCIAL, INC.
DEBTOR AND DEBTOR IN POSSESSION

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing was served on April 6, 2022 (1) by electronic notice to all ECF users who have appeared in this case to date, as set forth below and (2) by regular mail to the addresses identified on the applicable claims as shown below.

ADDRESS ON PROOF OF CLAIM

Simone Barron
PO Box 11781
Fort Worth, TX 76110

ADDRESS ON NOTICE OF DEATH

Johnny Mateo Barron
3718 Tulsa Way
Fort Worth, Texas 76107

COUNSEL FOR CLAIMANT

Joyce W. Lindauer Attorney, PLLC
1412 Main St., Suite 500
Dallas, Texas 75202

ALSO DIRECT EMAIL SERVICE TO: skyprop9@gmail.com

/s/ Jeff Carruth

Jeff Carruth

21-41517-elm11 Notice will be electronically mailed to:

Jeffery D. Carruth on behalf of Debtor Anson

Financial, Inc.

jcarruth@wkpz.com,

[jcarruth@aol.com;atty_carruth@trustesolutions.com;](mailto:jcarruth@aol.com;atty_carruth@trustesolutions.com; carruthjr87698@notify.bestcase.com)

carruthjr87698@notify.bestcase.com

Jeffery D. Carruth on behalf of Defendant Anson

Financial, Inc.

jcarruth@wkpz.com,

[jcarruth@aol.com;atty_carruth@trustesolutions.com;](mailto:jcarruth@aol.com;atty_carruth@trustesolutions.com; carruthjr87698@notify.bestcase.com)

carruthjr87698@notify.bestcase.com

Jeffery D. Carruth on behalf of Plaintiff AFI Loan

Servicing, LLC

jcarruth@wkpz.com,

[jcarruth@aol.com;atty_carruth@trustesolutions.com;](mailto:jcarruth@aol.com;atty_carruth@trustesolutions.com; carruthjr87698@notify.bestcase.com)

carruthjr87698@notify.bestcase.com

Jeffery D. Carruth on behalf of Plaintiff Anson

Financial, Inc.

jcarruth@wkpz.com,

[jcarruth@aol.com;atty_carruth@trustesolutions.com;](mailto:jcarruth@aol.com;atty_carruth@trustesolutions.com; carruthjr87698@notify.bestcase.com)

carruthjr87698@notify.bestcase.com

Jeffery D. Carruth on behalf of Plaintiff J. Michael

Ferguson P.C.

jcarruth@wkpz.com,

[jcarruth@aol.com;atty_carruth@trustesolutions.com;](mailto:jcarruth@aol.com;atty_carruth@trustesolutions.com; carruthjr87698@notify.bestcase.com)

carruthjr87698@notify.bestcase.com

Jeffery D. Carruth on behalf of Plaintiff MBH Real Estate, LLC

jcarruth@wkpz.com,
jcarruth@aol.com; atty_carruth@trustesolutions.com;
carruthjr87698@notify.bestcase.com

Alonzo Zachary Casas on behalf of Creditor JPMORGAN CHASE BANK, N.A.

ecftxb@aldridgepate.com,
acasas@ecf.inforuptcy.com

Amanda Allison Catlin on behalf of Creditor Sterling Bates

Amanda.Catlin@fnf.com

Lawrence Chek on behalf of Creditor Wells Fargo Bank, National Association

lchek@pamlaw.com, mislas@pamlaw.com

Eboney D. Cobb on behalf of Creditor City of Colleyville

ecobb@pbfc.com,
ecobb@pbfc.com;ecobb@ecf.inforuptcy.com

Eboney D. Cobb on behalf of Creditor Grapevine-Colleyville ISD

ecobb@pbfc.com,
ecobb@pbfc.com;ecobb@ecf.inforuptcy.com

Ian D. Ghrist on behalf of Creditor Ghrist Law Firm PLLC

ian@ghristlaw.com,
christian@ghristlaw.com; idghrist@gmail.com; sarah@ghristlaw.com

Ian D. Ghrist on behalf of Defendant Ghrist Law Firm PLLC

ian@ghristlaw.com,
christian@ghristlaw.com; idghrist@gmail.com; sarah@ghristlaw.com

Ian D. Ghrist on behalf of Defendant Ian Ghrist

ian@ghristlaw.com,
christian@ghristlaw.com; idghrist@gmail.com; sarah@ghristlaw.com

Kathryn Hernandez on behalf of Debtor Anson Financial, Inc.

k.magan@maganlawpllc.com

Kathryn Hernandez on behalf of Defendant Anson Financial, Inc.

k.magan@maganlawpllc.com

Kathryn Hernandez on behalf of Interested Party Joe Michael Ferguson

k.magan@maganlawpllc.com

Kathryn Hernandez on behalf of Plaintiff AFI Loan Servicing, LLC

k.magan@maganlawpllc.com

Kathryn Hernandez on behalf of Plaintiff Anson Financial, Inc.

k.magan@maganlawpllc.com

Kathryn Hernandez on behalf of Plaintiff J. Michael Ferguson P.C.

k.magan@maganlawpllc.com

Kathryn Hernandez on behalf of Plaintiff MBH Real Estate, LLC

k.magan@maganlawpllc.com

Areya Holder Aurzada (SBRA V)

trustee@holderlawpc.com,
aha@trustesolutions.net; cahal1@trustesolutions.net

Christopher Marvin Lee on behalf of Debtor Anson Financial, Inc.

ecf@leebankruptcy.com,
clerk@leebankruptcy.com; LeeLawFirmPLLC@jubileeekb.net

Craig C. Lesok on behalf of Creditor Jentex Financial, Inc.

craig@lesoklaw.com

Joyce W. Lindauer on behalf of Creditor Joseph I Yamine

joyce@joycelindauer.com,
dian@joycelindauer.com; deann@joycelindauer.com;
12113@notices.nextchapterbk.com

Mark Joseph Petrocchi on behalf of Creditor Leroy J. York Family Limited Partnership

mpetrocchi@lawgjm.com,
mkidd@lawgjm.com; mpetrocchi@yahoo.com

Laurie A. Spindler on behalf of Creditor Tarrant County

Laurie.Spindler@lgbs.com, Dora.Casiano-Perez@lgbs.com; dallas.bankruptcy@lgbs.com

Matthew Tillma on behalf of Creditor JPMorgan Chase Bank, N.A. s/b/m/t Chase Bank USA, N.A.

Matthew.Tillma@BonialPC.com,
Notices.Bonial@ecf.courtdrive.com

United States Trustee

ustregion06.da.ecf@usdoj.gov

Lyndel Anne Vargas on behalf of Creditor B. Frazier Management, Inc.

LVargas@chfirm.com,
chps.ecfnotices@ecf.courtdrive.com;kbeckton@ecf.courtdrive.com

Lyndel Anne Vargas on behalf of Creditor Brian Frazier

LVargas@chfirm.com,
chps.ecfnotices@ecf.courtdrive.com;kbeckton@ecf.courtdrive.com

Lyndel Anne Vargas on behalf of Plaintiff B. Frazier Management, Inc.

LVargas@chfirm.com,
chps.ecfnotices@ecf.courtdrive.com;kbeckton@ecf.courtdrive.com

Lyndel Anne Vargas on behalf of Plaintiff Brian H. Frazier

LVargas@chfirm.com,
chps.ecfnotices@ecf.courtdrive.com;kbeckton@ecf.courtdrive.com

REGULAR MAIL LIST / MATRIX

SERVICE LIST	Case No. 21-41517	In re: Anson Financial Inc.				
Creditor list download date:	Feb. 9, 2022					
Address1	Address2	Address3	Address4	Address5	Comment on matrix	Method of Service
Ghrist Law Firm PLLC	4016 Gateway Drive Suite 130	Colleyville, TX 76034-5958				NOA-ECF
JPMORGAN CHASE BANK, N.A.					undeliverable	none
JPMorgan Chase Bank, N.A. s/b/m/t Chase Bank	14811 Dallas Parkway, Suite 425	Dallas, TX 75254-8067				Regular mail
Leroy J. York Family Limited Partnership					undeliverable	none
Magan Law, PLLC					undeliverable	NOA-ECF
Wells Fargo Bank, National Association	c/o Larry Chek	Campbell Centre One	8350 N. Central Expressway, Suite 1111	Dallas, TX 75206-1625		none (claim withdraw)
67th Judicial District Court of Tarrant Coun	100 N Calhoun Street 4th Floor	Fort Worth, Texas 76196-0207				Regular mail
Anson Financial, Inc.	62 Main Street, Suite 310	Colleyville, TX 76034-2931				Direct email
Arvella Godbey	568 Willowview Dr.	Saginaw, TX 76179-0965				Regular mail
B. Frazier Management, Inc.					undeliverable	none
B. Frazier Management, Inc.	CO Law Office of Caleb Moore	2205 Martin Dr., Ste 200	Bedford , TX 76021-6083			Regular mail
B. Frazier Management, Inc. and Brian Frazie	c/o Lyndel Anne Vargas	Cavazos Hendricks Poirot, PC	900 Jackson St., Suite 570	Dallas, TX 75202-2413		NOA-ECF
Beall Private Investments, LP - Affirm	5712 Colleyville Blvd., Suite 200	Colleyville, TX 76034-6068				Regular mail
Carol Godbey	P.O. Box 136273	Fort Worth , TX 76136-0273				Regular mail
City of Colleyville	% Perdue Brandon Fielder Et Al	500 E. Border Street	Suite 640	Arlington, TX 76010-7457		NOA-ECF
City of Colleyville	c/o Perdue Brandon Fielder et al	500 East Border Street, Suite 640	Arlington, TX 76010-7457			NOA-ECF
G. Parker Eldridge	9420 Capiland Rd.	Desert Hot Springs, CA 92240-1101				Regular mail
Ghrist Law Firm PLLC	CO Ian Ghrist	4016 Gateway Drive Suite 130	Colleyville, Texas 76034-5958			NOA-ECF
Grapevine-Colleyville ISD	c/o Perdue Brandon Fielder et al	500 E Border Street, Suite 640	Arlington, TX 76010-7457			NOA-ECF
Grapevine-Colleyville ISD	c/o Perdue Brandon Fielder et al	500 East Border Street, Suite 640	Arlington, TX 76010-7457			NOA-ECF
Heritage Credit, LLC	5712 Colleyville Blvd., Suite 200	Colleyville, TX 76034-6068				Regular mail
Internal Revenue Service	Centralized Insolvency Operation	PO Box 7346	Philadelphia, PA 19101-7346			Regular mail
JPMORGAN CHASE BANK N A	BANKRUPTCY MAIL INTAKE TEAM	700 KANSAS LANE FLOOR 01	MONROE LA 71203-4774		preferred	Regular mail
JPMorgan Chase Bank, N.A.	s-b-m-t Chase Bank USA, N.A.	CO National Bankruptcy Services, LLC	P.O. Box 9013	Addison, Texas 75001-9013		Regular mail

SERVICE LIST	Case No. 21-41517	In re: Anson Financial Inc.				
Creditor list download date:	Feb. 9, 2022					
Address1	Address2	Address3	Address4	Address5	Comment on matrix	Method of Service
Jentex Financial, Inc.	c/o: Cashmere Financial Services	226 Bailey Ave, Ste 104	Fort Worth, TX 76107-1260			Regular mail
Jentex Financial, Inc.	226 Bailey Ave., Suite 101	Fort Worth, TX 76107-1260				Regular mail
Joseph Imad Yammine	PO Box 11781	Fort Worth, TX 76110-0781				NOA-ECF
Larry Starks	7045 Oakbluff Dr.	Dallas, TX 75254-2754				Regular mail
Leroy J. York Family Limited Partnership	508 N. Havenwood Lane	Fort Worth, TX 76112-1013				Regular mail
Leroy York	508 N. Havenwood	Fort Worth, TX 76112-1013				none (duplicate address)
Lorraine (Raimey) York Dukes	1100 Elizabeth Blvd.	Fort Worth, TX 76110-2619				Regular mail
Simone Barron	PO Box 11781	Fort Worth, TX 76110-0781				Regular mail
Small Business Administration	SBA Disaster Loan Service Center	1545 Hawkins Blvd., Ste 202	El Paso, TX 79925-2654			Regular mail
Tarrant County	Linebarger, Goggan, Blair & Sampson, LLP	CO Laurie A. Spindler	2777 N. Stemmons Fwy Suite 1000	Dallas, TX 75207-2328		NOA-ECF
Tarrant County	Linebarger Goggan Blair & Sampson, LLP	c/o Laurie A. Spindler	2777 N. Stemmons Fwy. Ste. 1000	Dallas, TX 75207-2328		NOA-ECF
U.S. Small Business Administration	200 W. Santa Ana Blvd, Ste 740	Santa Ana, CA 92701-7534				Regular mail
United States Trustee	1100 Commerce Street	Room 976	Dallas, TX 75242-0996			NOA-ECF
Wells Fargo Bank, National Association	Attn: Dan Kline, V.P.	400 W. 15th Street, Suite 430	Austin, TX 78701-1654			none (claim withdrawn)
York Family Partnership	508 N. Havenwood	Fort Worth, TX 76112-1013				none (duplicate address)
Areya Holder Aurzada (SBRA V)	Law Office of Areya Holder, P.C.	901 Main Street, Suite 5320	Dallas, TX 75202-3700			NOA-ECF
Brian Frazier	3345 Western Center Blvd., #160	Ft. Worth			undeliverable	none
Christopher Marvin Lee	Lee Law Firm, PLLC	8701 Bedford Eules Road	Suite 510	Hurst, TX 76053-3874		NOA-ECF
Jeffery D. Carruth	Weyer, Kaplan, Pulaski & Zuber, P.C.	3030 Matlock Rd., Suite 201	Arlington, TX 76015-2936			NOA-ECF
Joe Michael Ferguson					undeliverable	none
Joseph I Yammine					undeliverable	none
Kathryn Hernandez	Magan Law, PLLC	62 Main St.	Suite 310	Colleyville, TX 76034-2931		NOA-ECF
Simone Barron					undeliverable	none
Sterling Bates					undeliverable	NOA-ECF

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION**

IN RE:	§	
	§	
ANSON FINANCIAL, INC.,	§	CASE NO. 21-41517
	§	
DEBTOR.	§	

**ORDER DISALLOWING PROOF OF CLAIM NOS. 8, 9, AND 10 FILED BY
SIMONA BARRON ON AUGUST 13, 2021 (RE: DOCKET NO. __)**

On this day came on for consideration *First Amended Objection to Proofs of Claim Number 8, 9, and 10 Filed By Simona Barron on August 13, 2021*. The Court finds and concludes that the Objection contained the appropriate notices under the Bankruptcy Local Rules; according to the certificate of service attached to the Objection, the Objection was served upon the parties entitled to receive notice under the Bankruptcy Local Rules; no party in interest filed a response to the Objection or any such response or objection is overruled by this Order; and that upon review of the record of this case and with respect to the Objection that cause exists to grant the relief requested therein.

IT IS THEREFORE ORDERED THAT Proof of Claim Nos. 8, 9, and 10 filed by Simone Barron on August 13, 2021 each is disallowed in its entirety and deemed to be expunged from the claims register of this case.

END OF ORDER